

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

DERRICK RANARD BRADEN,)
Plaintiff,)
VS.) No. 16-2358-JDT-tmp
DERRICK SCHOFIELD, ET AL.,)
Defendants.)

ORDER CERTIFYING THE APPEAL IS NOT TAKEN IN GOOD FAITH
AND DENYING LEAVE TO APPEAL *IN FORMA PAUPERIS*

On February 10, 2017, the *pro se* prisoner Plaintiff, Derrick Ranard Braden, filed another ambiguous document which the Clerk construed as a third notice of appeal in this case. (ECF No. 21.) It appears Plaintiff may be attempting to appeal the Court's order of January 20, 2017 (ECF No. 20), denying his motion to make bi-weekly payments toward the filing fee as unnecessary. The Court of Appeals docketed the appeal on February 14, 2017. *See Braden v. Schofield*, No. 17-5172 (6th Cir.).

As this Court suggested in the order regarding Plaintiff's second notice of appeal in this case (ECF No. 18 at 2), it is not certain that Plaintiff realizes the additional "appeal requests" that he is filing are being treated as *separate* appeals in this case. In any event, the Court CERTIFIES that this third appeal is also frivolous and not taken in good faith; therefore, leave to appeal *in forma pauperis* is DENIED. If Plaintiff wishes to pursue this appeal, he must file a motion to proceed *in forma pauperis* in the Court of Appeals.

IT IS SO ORDERED.

s/ James D. Todd
JAMES D. TODD
UNITED STATES DISTRICT JUDGE